REMARKS

In the Office Action, the Examiner rejected claims 1-26, 31, and 32. Additionally, the Examiner indicated claims 27 and 28 as being allowed. Applicants thank the Examiner for indicating the allowable subject matter. In view of the following remarks, Applicants respectfully request reconsideration and allowance of all pending claims.

Claim Rejection under 35 U.S.C. § 112

In the Office Action, the Examiner rejected claims 1-26, 31 and 32 under 35 U.S.C. § 112, first paragraph, as failing to comply with written description requirement. Specifically, the Examiner rejected independent claims 1, 8, 14, 21 and 31 because "[a]lthough the 'computer system' is disclosed throughout the specification, the computer is not expressly defined in the specification." Applicants respectfully traverse this rejection.

Legal Precedent

The initial burden of proof regarding the sufficiency of the written description falls on the Examiner. Accordingly, the Examiner must present evidence or reasons why persons skilled in the art would not recognize a description of the claimed subject matter in the applicant's disclosure. *In re Wertheim*, 191 U.S.P.Q. 90, 96 (C.C.P.A. 1976). The Examiner is also reminded that the written description requirement does not require the claims to recite the same terminology used in the disclosure. *Ellipse Corp. v. Ford Motor Co.*, 171 U.S.P.Q. 513 (7th Cir. 1971), *aff'd.* 613 F.2d 775 (7th Cir. 1979), *cert. denied*, 446 U.S. 939 (1980).

The present application is directed to techniques for operating multiple security modules, such as trusted platform modules ("TPMs"), in a computer system. *See* paragraphs [003], [0004] and [0016]. In addition to other benefits, such as maintenance of system integrity, the operation of multiple TPMs within a single computer system may provide redundancy of keys to permit continued system operation in the event that one security module is inoperable. *See* paragraphs [0033]-[0034]. As such, claim 1 recites, *inter alia*, "A method of operating a first security module *in a computer*, the method comprising the acts of: detecting a second security module *in the computer*." (Emphasis added). Claims 8 and 14 recite, *inter alia*, "A security module *in a computer*" and "another security module *in the computer*." (Emphasis added). Claim 21 recites, *inter alia*, "*A computer* comprising....a first security module and a second security module." (Emphasis added). Claim 31 recites, *inter alia*, "A computer network, comprising...a plurality of computers; at least *one of the plurality of computers* comprising: a first security module; and a second security module." (Emphasis added)

As noted by the Examiner, the specification indicates client computers and servers as representing "computer systems." Office Action, page 3, lines 7-9. Furthermore, the Examiner concedes the use of the term "computer" as being interchangeable with the term "computer system." *See id.* Indeed, a computer system or computer as described in the specification may have one or more central processing units. *See* paragraph [0024]. As described in specification, examples of a computer may include a desktop personal computer ("PC"), a notebook PC, a tablet PC, a personal digital assistant ("PDA"), or the like. *See* paragraph [0017]. As such, when the specification refers to utilizing multiple security modules, such as TPMs, in a computer

system, it is referring to multiple security modules within a *single computer*. *See* paragraphs [0003], [0004], [0022], [0023], [0027]-[0030], and [0033]-[0052].

The specification is consistent in distinguishing between a network and a single computer system, such as a client or a server within a network. *See, e.g.*, paragraphs [0003]-[0004]. Even though the term "computer system" is used to describe the single computer, the network is clearly distinct from the single computer system throughout the specification. *See id.* For example, paragraph [0002] explains that a network may allow information to be shared between computers systems via a network. *See* [0002]. Additionally, in paragraph [0020], the specification refers to client computers and servers as computer systems within a network infrastructure. *See* paragraph [0020].

When discussing using multiple security modules within a computer system, the specification makes it clear that it is referring to multiple security modules within a single computer, not multiple computer systems distributed and connected through a network where each individual computer includes a single security module. *See* paragraphs [0003], [0004], [0016], [0020], [0022], [0023], [0027] and [0052]. For example, paragraph [0022] refers to the individual client and server computer systems shown networked together in FIG. 1 and explains that "multiple TPMs may be implemented within *a system* to enhance the security and reliability of the system." (Emphasis added). In other words, if the individual client computers or servers have multiple TPMs, the security and reliability of each of these individual computers will be enhanced. Implementation of multiple security modules with a computer, as mentioned above,

allows for redundancy of keys to prevent the user from losing information or access to the system if one of the security modules fails. *See* paragraph [0022].

As can be seen, throughout the specification, single computers, such as PCs, are referred to as computer systems or systems. In referring to the single computer of FIG. 3, for example, the specification again refers to "the system," "the system 100," and "the computer system 100." *See* paragraph [0023]. With the exception of the multiple TPMs, the computer illustrated in FIG. 3 represents a conventional computer, such as a PC, having a processor complex 102, core logic 104, RAM 106, a ROM BIOS 139, and an Input/Output Controller 126, among other things. As understood by one of ordinary skill in the art, it does not represent multiple computers. Indeed, it is unquestionably a single computer system. The distinguishing characteristic, however, is that is has multiple security modules. Specifically, FIG. 3 illustrates a single computer having a first TPM 143 and a second TPM 153. *See* FIG. 3; paragraph [0027]. The first TPM 143 and the second TPM 153 are located on separate busses, bus 138 and bus 155, respectively, but nonetheless are within the *same computer*. Thus, it is clear that the terms "computer" and "computer system," are used consistently in the specification to refer to a single computer and that eh term "network" is used to distinguish a single "computer" or "computer system" from a network of multiple computer systems.

In view of the foregoing discussion regarding the specification and the figures, Applicants respectfully assert that the term "computer" as used in the claims is clear, unambiguous, and fully supported by the specification. Furthermore, Applicants assert that persons of ordinary skill in

the art would recognize the claimed subject matter within the context of the specification as

referring to individual computers and *not* a network having multiple computers. Accordingly,

Applicants respectfully withdrawal of the rejection under 35 U.S.C. § 112.

Claim Rejections under 35 U.S.C. § 102

The Examiner rejected claims 1-26, 31 and 32 under 35 U.S.C. § 102 (a) as being as

being anticipated by Challener (U.S. Pub. 2003/0174842). Applicants respectfully traverse this

rejection.

Legal Precedent

Anticipation under Section 102 can be found only if a single reference shows exactly

what is claimed. *See Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir.1985). For a

prior art reference to anticipate under Section 102, every element of the claimed invention must

be identically shown in a single reference. *See In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir.1990).

That is, the prior art reference must show the *identical invention "in as complete detail as*

contained in the ... claim" to support a *prima facie* case of anticipation. *Richardson v. Suzuki*

Motor Co., 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Thus, for anticipation,

the cited reference must not only disclose all of the recited features but must also disclose the

part-to-part relationships between these features. *See Lindermann Maschinenfabrik GMBH v.*

American Hoist & Derrick, 221 U.S.P.Q. 481, 486 (Fed. Cir.1984). Accordingly, the Applicants

need only point to a single element or claimed relationship not found in the cited reference to

demonstrate that the cited reference fails to anticipate the claimed subject matter, since a *strict*

correspondence between the claimed language and the cited reference must be established for a valid anticipation rejection.

As mentioned above, in the telephonic interview, the Examiner agreed that resolution of the 35 U.S.C. § 112 rejection in favor of Applicants necessarily resolves the 35 U.S.C. § 102 issue in favor of the Applicants. Specifically, as set forth in detail above, the claims recite a computer having multiple security modules. Because the Challener reference fails to disclose multiple security modules within a computer, it cannot anticipate the claims of the present application. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102 and allowance of all pending claims.

Conclusion

Applicants respectfully submit that all pending claims should be in condition for

allowance. However, if the Examiner wishes to resolve any other issues by way of a telephone

conference, the Examiner is kindly invited to contact the undersigned attorney at the telephone

number indicated below.

Respectfully submitted,

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